

EXHIBIT 1

1 STANWOOD

2 UNITED STATES DISTRICT COURT

3 SOUTHERN DISTRICT OF NEW YORK

4
5 Case No. 1:12-23569-Civ-MIDDLEBROOKS/BRANNON

6 -----
7 WI-LAN USA, INC. and WI-LAN, INC.,

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9 Plaintiffs,

10
11 vs.

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13 TELEFONAKTIEBOLAGET LM ERICSSON

14 and ERICSSON, INC.,

15
16 Defendants.

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18
19 VIDEOTAPED DEPOSITION OF KENNETH STANWOOD

20 DALLAS, TEXAS

21 MAY 14, 2013

22
23 Reported by:

24 Susan S. Klinger, RMR-CRR, CSR

25 Job No.: 61035

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2 WiMAX?

3 A. WiMAX or 802.16?

4 Q. Would it be a different answer?

5 A. Yes.

6 Q. Well, let's start with WiMAX.

7 A. The WiMAX forum was established as a
8 California nonprofit corporation in the 2000 to
9 early 2001 time frame. The first meeting was
10 in April of 2001. I attended that first
11 meeting.

12 Q. When did you first get involved with
13 802.16?

14 A. I think it was early 1999, but it
15 may have been --

16 Q. What caused you to get involved with
17 802.16?

18 A. 802.16 was chartered to develop a
19 point-to-multipoint broadband wireless access
20 standard. Ensemble wanted to be involved in
21 both the development of that standard and
22 understanding the standard so that we could
23 eventually make standards compliant products.

24 Q. Were there competing standards at
25 the time?

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2 A. The competing standards effort at
3 that point in time was ETSI BRAN.

4 Q. And how did ETSI BRAN and 802.16
5 differ conceptually?

6 A. 802.16 was more packet oriented, if
7 you'd like, more emphasis on being able to
8 transport IP packets while still being able to
9 transport ATM. ETSI BRAN concentrated more on
10 the transport of ATM, and a much more rigid
11 fixed structure because of that.

12 Q. And was it intended to be a
13 so-called 4G, or fourth generation technology?

14 A. We weren't really discussing using
15 those terms at that point in time. This was
16 the early days of broadband wireless access.

17 Q. And did there come a time in
18 connection with 802.16 where there were
19 discussions about what generation it was?

20 A. There's been a lot of discussions in
21 a lot of the standards about whether something
22 is 3G, 4G, 4.1G, and nobody agrees.

23 Q. Was 802.16 marketed as a generation?

24 A. Not by me. Some people may have
25 claimed their equipment was 3G or 4G, but I